

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,)	
)	
Plaintiff,)	Case No.: 1:23-cv-14021
)	
v.)	Judge Edmond E. Chang
)	
UNITED PARCEL SERVICE, INC.)	
)	Jury Demanded
Defendant.)	
)	
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KURT BERNABEI,)	
)	
Plaintiff-Intervenor.)	

**DEFENDANT’S UNOPPOSED MOTION FOR
ADDITIONAL TIME TO ANSWER OR OTHERWISE RESPOND**

Defendant United Parcel Service, Inc., an Ohio corporation ("UPS"), moves this Court for additional time to answer or otherwise respond to the Complaint filed by Plaintiff-Intervenor Kurt Bernabei. Setting December 22, 2023 as the deadline for answering the Plaintiff-Intervenor’s Complaint will align with the current response deadline for the Complaint filed by Plaintiff U.S. Equal Employment Opportunity Commission (“EEOC”) after the waiver of service in this matter. Neither EEOC nor the Plaintiff-Intervenor oppose the relief requested by this motion. In support of this Motion, UPS states as follows:

1. On September 22, 2023, Plaintiff EEOC filed a Complaint seeking relief for alleged violations of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §12101 *et seq.* With waiver of service, UPS’s response to this Complaint is due December 22, 2023.

2. On November 2, 2023, Plaintiff-Intervenor Kurt Bernabei was granted leave to file his Intervenor Complaint and thereafter filed it with the Court. In addition to UPS agreeing to not oppose the motion for leave to file the Intervenor Complaint, the parties also agreed that UPS's response to this Intervenor Complaint would likewise be due December 22, 2023.

3. Based on this, UPS is asking the Court to set December 22, 2023 as the deadline for answering or otherwise responding to the Intervenor Complaint.

4. EEOC counsel and Plaintiff-Intervenor's counsel confirmed on November 16, 2023 that they do not oppose the relief requested by this motion.

WHEREFORE, Defendant United Parcel Service, Inc., respectfully requests that the Court enter an Order setting December 22, 2023 as its deadline to answer or otherwise respond to the Plaintiff-Intervenor Complaint in this matter.

Dated: November 16, 2023

Respectfully submitted

UNITED PARCEL SERVICE, INC.

By: /s/Gary R. Clark
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on November 16, 2023, the foregoing **DEFENDANT'S UNOPPOSED MOTION FOR ADDITIONAL TIME TO ANSWER OR OTHERWISE RESPOND** was filed electronically using the Court's CM/ECF system. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system at the email addresses indicated below. Parties may access this filing through the Court's system:

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